

Scott et al. App. No.10/759,685

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REMARKS

It is believed that further examination can be facilitated by presenting new claims, as above.

There are two claim sets, 17-25 and 26-34. The latter are claim-for-claim sub-combinations of the former.

The claims have been written to define the sleeper compartment wall to comprise two panels, namely an interior panel and an exterior panel. Independent Claims 17 and 26 are distinguished by the recited structure of the plastic-metal hybrid interior wall panel. The interior panel comprises a plastic interior wall surface (surface 125 in the specification and drawings). Structural reinforcement is provided by a metal part (shell 122 in the specification and drawings) of the hybrid panel to which plastic has been molded through openings where the plastic joins with the part (see Para. [0021] of the specification). The metal part is consequently disposed internally of the wall between the exterior panel and the interior wall surface.

There is no disagreement that the primary reference Gobessi et al. discloses a "composite" assembly, arguably a plastic-metal wall. But that construction is not the plastic-metal hybrid type of construction defined by Claims 17 and 26. The reference does observe: that the skins of the composite assembly can be resin-impregnated fiberglass sheets; that the cores can be polypropylene; and that there can be extrusions or other framing members attached to or between the skins. We respectfully submit however that such observations neither anticipate nor render obvious the plastic-metal hybrid construction of Claims 17 and 26.

Specifically the reference shows the inner skin as a part entirely separate from the core. To the extent that the inner

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skin might be attached to the core or to an extrusion or framing member between itself and the outer skin, the reference contains no disclosure or suggestion of any openings in the core or in such extrusion or framing member where the plastic joins such an internal part of the composite structure as a result of molding plastic through the openings so as to unite the inner skin and such internal part.

It is further submitted that the mention of plastic molded to metal does not impart a process to an article claim. If there is any doubt, Claims 17 and 26 mention the structural element of openings in the metal part where the plastic joins with the metal part internally of the wall. One of ordinary skill should be capable of distinguishing when a "hybrid" construction involves molding of plastic onto metal versus the sandwiching of plastic and metal, as in the reference, and in any event would be able to find the openings, albeit that would involve destroying the panel to enable the openings to be seen.

The secondary reference Charbonnel seems merely cumulative to admitted prior art. Granted Charbonnel involves part of an automobile dash, the structure is entirely internal to the dash and relates to the dash, not a sleeper compartment in a truck. Further, we see no teaching or suggestion that the plastic that is joined with the metal also form the skin of the dash that would be seen by passengers. Consequently, any detailed discussion of the secondary reference seems unnecessary. The lack of pertinency of Charbonnel is especially apparent when one reads dependent Claims 25 and 34 positively reciting a cabinet on the interior wall surface.

For reasons given, it is believed that the present invention has been distinguished. Allowance is therefore respectfully requested.

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Support for all claim recitations is found in the specification and/or drawings as originally filed, although language used in the present claims may differ in certain instances from that in the original claims.

Drawings

A complete set of formal drawings (eight sheets) is enclosed as the final eight pages of this paper. Approval is requested.

Conclusion

Please continue to direct correspondence to the attorney of record. However, any questions regarding the content of this paper may be directed to the undersigned.

Contingent Deposit Account Authorization

Although it is believed that no additional claim fee is due in connection with the filing of this paper, any lawful fee determined by the Commissioner to be due with this filing may be charged to Deposit Account No. 14-0603.

Respectfully submitted,


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